

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT U.S. COURT OF APPEALS

ELEVENTH CIRCUIT

APR 28, 2010

JOHN LEY

CLERK

No. 07-13497

D. C. Docket No. 06-00327-CR-J-33-HTS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CURTIS DARNELL JOHNSON,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(April 28, 2010)

**ON REMAND FROM THE SUPREME COURT
OF THE UNITED STATES**

Before CARNES and MARCUS, Circuit Judges, and DUBOSE,* District Judge.

*Honorable Kristi K. DuBose, United States District Judge for the Southern District of Alabama, sitting by designation.

PER CURIAM:

This case comes to us on remand from the Supreme Court of the United States, see Johnson v. United States, — U.S. —, 130 S.Ct. 1265 (2010), reversing our decision in Johnson v. United States, 528 F.3d 1318 (11th Cir. 2008). We REVERSE the district court’s judgment and REMAND the case to the district court for further proceedings consistent with the Supreme Court’s decision.

REVERSED and REMANDED.